United Nations A/CN.10/PV.316

General Assembly Official Records

Disarmament Commission
316th meeting
Thursday, 21 April 2011, 10 a.m.
New York

Chair: Mr. Al Bayati ..... (Iraq)

The meeting was called to order at 10.35 a.m.

The Chair: After three weeks of deliberations on the substantive agenda items by the three Working Groups, the Disarmament Commission is now approaching the final stage of its work for the current session, that is, the consideration and adoption of the draft reports (A/CN.10/2011/CRP.3, CRP.4 and CRP.5) of the subsidiary bodies and of the Commission's draft report to the General Assembly (A/CN.10/2011/CRP.2).

As scheduled in the programme of work (A/CN.10/2011/CRP.1), this meeting of the Committee of the Whole will be devoted to general consideration of the draft reports of the Working Groups and the draft report of the Commission, all of which have been distributed. We shall first take up the draft reports of the Working Groups for general comments. At the 317th plenary meeting, which will follow this meeting, the draft reports will be formally introduced by the Chairs of the respective Working Groups.

It seems we have a technical problem. I give the floor to the Secretary of the Commission.

Mr. Cherniavsky (Secretary of the Commission): I would like to express my sincere apologies to the members of the Disarmament Commission. Because of a technical glitch in the computer system, one of the draft reports is not ready for distribution, as our colleagues in Documents Control were unable to print and distribute it in all of the languages. We were told that this particular draft report will be available between 11 and 11.30 a.m. Therefore, I am not sure whether we will be able to continue until we have all of the documents available in the room, in all languages.

The Chair: Owing to that technical problem, we will have to suspend the meeting until 11.15 a.m. We have been told that the draft report may be available between 11 and 11.30 a.m. Hopefully, if we receive it by 11.15 a.m., we will begin at that time.

The meeting was suspended at 10.40 a.m. and resumed at 11.35 a.m.

The Chair: As there are no requests for the floor in connection with the draft reports of the Working Groups, contained in documents A/CN.10/2011/CRP.3, CRP.4 or CRP.5, we will now turn to the draft report of the Commission, as contained in document A/CN.10/2011/CRP.2.

I give the floor to the Rapporteur of the Commission on a point of order.

Mr. Djokpe (Benin), Rapporteur of the Commission (*spoke in French*): With regard to document A/CN.10/2011/CRP.2, I wish to make a correction to paragraph 6, section II, entitled "Organization and work of the 2011 substantive session". The name of the Rapporteur should read "Djokpe".

Mr. Seifi Pargou (Islamic Republic of Iran): With regard to section II of document A/CN.10/2011/CRP.2, entitled "Organization and work of the 2011 substantive session", we wish to propose a slight amendment to paragraph 3, in order that the paragraph should read as follows:

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506. Corrections will be issued after the end of the session in a consolidated corrigendum.

Please recycle

11-30704 (E)

> "At its 309th meeting, the Commission adopted the provisional agenda of its substantive session, contained in document A/CN.10/L.65".

As you are well aware, Sir, we have two agendas: one for the organizational session (A/CN.10/L.66) and one for the substantive session (A/CN.10/L.65). We should therefore take care to amend the paragraph as I have proposed.

I would also like to take this opportunity to request some time to read the draft report to see whether or not we have any further comments.

The Chair: A proposal has been made by the representative of Iran to make specific reference to the agenda. Representatives may take a few minutes to look at the report. However, we have only a short time available to us, and we will incorporate the proposal of Iran in the report.

Mr. Seifi Pargou (Islamic Republic of Iran): I have requested time not only for myself but for other delegations as well; otherwise I can go along with the meeting and with you, Mr. Chair.

The Chair: If no other delegation feels that it needs time to read the draft report, we will go ahead with the meeting. As I mentioned earlier, the draft reports of the Working Groups and the draft report of the Commission, after having been considered at this meeting of the Committee of the Whole, will be formally considered and adopted at the following plenary meeting.

Mr. Arrocha (Mexico) (*spoke in Spanish*): My delegation wishes to make a few comments regarding the draft report (A/CN.10/2011/CRP.2) that has been submitted, as well as on the conclusions of our work.

Could you please explain, Sir, the procedure to be followed? Is this the right time to comment on the draft report and final conclusions, or will there be a recess to consider the document, after which we would could make comments and final remarks?

The Chair: There will be an opportunity to make comments and final remarks at the next plenary meeting, but if you have a proposal you may raise it now.

Mr. Arrocha (Mexico) (*spoke in Spanish*): We will therefore save our conclusions for later, as you suggested. However, we do have a comment on A/CN.10/2011/CRP.2, which has been distributed. Mexico has a proposal relating to paragraph 17 of section IV, entitled "Conclusions and recommendations". We would like to propose that the first sentence end at "subsidiary bodies", so that it would read as follows:

(*spoke in English*)

> "At its 317th plenary meeting, on 21 April, the Disarmament Commission adopted by consensus the reports of its subsidiary bodies. The Commission agreed to submit the texts of those reports, reproduced below, to the General Assembly".

(*spoke in Spanish*)

The deletion of "and the conclusions and recommendations contained therein" is due to the fact that we have not found any conclusions or recommendations in the document submitted to us, so it appears to be an error in the text.

The Chair: I thank the representative of Mexico for his clarification. Is there any objection to that proposal?

Mr. Tarar (Pakistan): I wish to make a clarification. I was just comparing the draft report with last year's, and I believe that we used the same formulation in last year's report as well. So for consistency's sake, I think we should continue with that formulation. Perhaps the Secretariat could provide clarification.

The Chair: I give the floor to the Secretary of the Commission.

Mr. Cherniavsky (Secretary of the Commission): I welcome the opportunity to clarify this procedural issue. The representative of Pakistan is right; we have used this formula in the report for a very long time, irrespective of whether or not any substantive results have been achieved. That is because the terminology depends on how the Member States see the conclusions and recommendations. We have used the same formula throughout the years regarding the conclusions and recommendations.

Mr. Aly (Egypt): We are glad, Sir, that you have most successfully steered our work to the point at which we are considering our draft report. It definitely has been a very rich session in terms of discussions, ideas and exchanges. From a deliberative standpoint, I think that this year's session has been a most useful

exercise, even though the Working Groups did not manage to agree by consensus on an outcome. But we certainly are closer to that consensus this year than we were last year.

Allow me to fully support what was said by the representative of Mexico. I think that the Mexican proposal best serves accuracy. Even if in past sessions we used that language, the fact remains that the language is incorrect. The procedural reports do not actually include either conclusions or recommendations. So such a reference in our report would be misleading, and we are better off without it.

The Chair: I agree with the representative of Egypt that we are closer to agreement and that we have made progress although we could not reach consensus.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): The Cuban delegation would also like to take this opportunity to thank and congratulate you, Sir, on the way in which you have conducted the work of this session of the Disarmament Commission.

With regard to paragraph 17 of the draft report (A/CN.10/2011/CRP.2) and the proposal made by the representative of Mexico, in Cuba's view, it is clearly not factually correct to say that the reports contain recommendations. Concerning the reference to conclusions, the Cuban delegation could be flexible if by conclusions we mean the fact that none of the subsidiary bodies managed to reach consensus on the items under consideration.

In any case, in the end, the Cuban delegation would not be against deleting the whole phrase, as proposed by the representative of Mexico. However, I reiterate that by way of a compromise solution, my delegation would have no objection to retaining the reference to "and the conclusions contained therein" and deleting "and recommendations".

The Chair: We have two proposals. One is to keep the text from last year as it is. The other is to make it more accurate, as the representative of Egypt mentioned. I hope that the representative of Pakistan will agree with keeping the text from last year as it is. I think that the representative of Pakistan is perhaps expecting some response.

Mr. Moktefi (Algeria) (*spoke in French*): My delegation is flexible with regard to the two proposals that we may wish to adopt concerning paragraph 17 of the draft report (A/CN.10/2011/CRP.2).

I would just like to draw the Commission's attention to the fact that perhaps the confusion stems from the heading of section IV, which is entitled "Conclusions and recommendations". On that technicality, therefore, we could perhaps consider changing the actual heading of the section to avoid any confusion. In essence, the fact of adopting the current paragraph 17 rests on adopting the heading itself, which is entitled "Conclusions and recommendations". Therefore, in order to avoid such confusion in future sessions, we should revise the heading of section IV.

Ms. Douti (Greece): I could accept either proposal — either including "Conclusions and recommendations" or not. However, I wonder whether deleting "Conclusions and recommendations" this year would imply that there were conclusions and recommendations last year — which was not the case — but not this year. We have not had conclusions and recommendations for the past 12 years. We must think about this.

Mr. Rao (India): I think that the representative of Greece has a point with regard to deleting the entire draft phrase from paragraph 17 of the draft report (A/CN.10/2011/CRP.2). As the representative of Pakistan pointed out, we do not see much point in deleting the phrase, given that we have included it in past reports. However, if there is agreement on making an amendment, we could accept the suggestion made by the Cuban representative. In that way, at least the conclusions part would remain. Stating that they were not able to achieve consensus would itself be a conclusion of the Working Groups' meetings.

Mr. Laro (Nigeria): My delegation's preference is for consistency with respect to the reports of previous years. We therefore also support what the representative of Algeria said in terms of what happens to the heading if we decide to alter the text.

Mr. Tarar (Pakistan): Having listened to my colleagues, we can be flexible and agree to the Cuban proposal.

Mr. Seifi Pargou (Islamic Republic of Iran): I think that we should be completely factual. As there were no concrete recommendations by the Working Groups this year, we can agree to the proposal made by the representative of Mexico, as supported by the delegation of Egypt. At the same time, we remain flexible.

The Chair: I think that we need to be flexible. We can be factual, but not completely factual.

Mr. Arrocha (Mexico) (*spoke in Spanish*): Having heard the comments of some of our colleagues in the room on this point, the Mexican delegation can show its flexibility with a view to moving forward and concluding our work for this session today, as the Commission had planned.

In that spirit of cooperation, we can support the amendment proposed by the representative of Cuba, together with the proposal of Algeria's representative, to delete from the heading of section IV the words "and recommendations", leaving it as "Conclusions", and in paragraph 17, leaving the mention of "and the conclusions contained therein", and deleting the words "and recommendations".

With regard to Mexico's position, we underscore that in reality there were no conclusions to be reflected. However, in the spirit of cooperation, we can support the proposal made by the representative of Cuba.

Mr. Aly (Egypt): I apologize for taking the floor again. I think that the Cuban proposal might be a good way out of this impasse so that we can come to agreement on this point and move forward with our work. The delegation of Egypt is certainly flexible enough to accommodate that proposal.

The Chair: There are two proposals before the Commission: to change the heading and the text or to change only the text. We need to reach consensus. I therefore urge delegations to show flexibility so that we may continue with our work.

Mr. El Oumni (Morocco): I am sorry to take the floor. We do not intend to prolong the discussion.

I do not see why we should change the headings. Subsection B, section III, reads "Other documents, including documents submitted by Member States"; while paragraph 16 of the same subsection states " No documents were submitted during the Commission's 2011 substantive session." The same applies with regard to section IV, entitled "Conclusions and recommendations", wherein it is stated, in paragraph 17, that there are only conclusions. As a result, we do not have to change the heading. However, we are flexible, if that will produce a solution.

The Chair: As a compromise, I propose that we retain the title as it is and strike "and recommendations".

Mr. Arrocha (Mexico) (*spoke in Spanish*): I apologize for taking the floor once again. From the comments that my delegation has heard, we see that there is indeed flexibility, as our colleague from Morocco has just mentioned. While some delegations' preference would be to keep the heading as it is, they have also shown flexibility with regard to amending it. My delegation therefore cannot identify any argument in the comments that have made in this discussion in favour of retaining the paragraph as set forth in your proposal, Mr. Chair.

The Mexican delegation would therefore reiterate its proposal, with a view to showing flexibility with regard to consistency between the heading and the paragraph, that we retain the heading as "Conclusions" and include a reference to "and the conclusions" in paragraph 17, thereby deleting the references to recommendations in both. Once again, we believe that there has been flexibility and cooperation shown and we cannot see any reason not to proceed accordingly.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): There seems to be consensus on our proposal to amend paragraph 17 to delete the reference to recommendations. With regard to the heading of section IV, Cuba believes this to be an entirely different discussion. In our view, amending the structure of the Commission's report would have implications different from those associated with amending paragraph 17.

We believe that producing recommendations is part of the mandate of the Disarmament Commission. The final report of every session of the Commission should always include a section reflecting both the mandate of the Commission and conclusions and recommendations. Whether or not we come up with conclusions and recommendations is something to which we will have to refer when drafting the section. That is what we are now saying in paragraph 17. However, we would be reluctant to change the structure of the report, which could be interpreted as changing in some way the mandate of the Commission.

Therefore, our view is that we should retain the heading of the section as it is. Moreover, the heading should be kept the same in future reports of the Commission. The section should indicate whether our not we have reached conclusions and recommendations

and whether or not we have fulfilled the Commission's mandate. I reiterate that we would not be in favour of any change to the heading of this section in this report.

The Chair: I urge the representative of Mexico to accept Cuba's proposal to retain the heading and change the content of the paragraph.

Mr. Arrocha (Mexico) (*spoke in Spanish*): We have listened carefully to our colleague from Cuba. The Mexican delegation could accept the retention of the heading of section IV — "Conclusions and recommendations" — if it is a question of the report's structure. Along those lines, however, Mexico would propose a slightly different change to paragraph 17 than the one suggested by the delegation of Cuba.

In that regard, we propose deleting the reference to recommendations, as he suggested, and including in the paragraph the phrase "and the conclusions contained therein". In addition, however, we propose including immediately thereafter a sentence similar to the one in paragraph 16, explicitly stating that there were no recommendations produced by the Commission during its substantive session. The final sentence would remain the same — " The Commission agreed to submit the texts of those reports, reproduced below, to thee General Assembly."

We believe that, as the representative of Morocco said, while the heading does not prejudge the content of the paragraph therein — just as the heading of subsection B of section III reads "Other documents, including documents submitted by Member States", while the paragraph therein states "No documents were submitted during the Commission's 2011 substantive session" — so, too, should we include a sentence under section IV stating that there were no recommendations produced during this session. By deleting "and recommendations" from paragraph 17 and explicitly stating that there were no recommendations produced during the session, the delegation of Mexico could accept retaining the heading of section IV as it is. We hope that this will help us to achieve consensus on the final document.

Mr. Dieng (Senegal) (*spoke in French*): Apparently, my taking the floor is no longer relevant, given that those who spoke before me have fleshed out the point of view I had on this issue and that we are close to a solution. I would therefore like to suggest a similar approach to the one proposed by the representative of Mexico for retaining the heading. As my colleague from Morocco has said, the heading does not prejudice the content; it is just a matter of organization. Perhaps, as the representative of Mexico also proposed, we could clearly indicate in that section that there were no recommendations. I think that, with such a compromise, we could move forward to an agreement on the paragraph. I do not think we are far from a solution.

Mr. Moktefi (Algeria) (*spoke in French*): My delegation would like to propose the same wording suggested by the representative of Mexico, namely, to indicate that there were no recommendations. This would preserve the report's structure as it is.

With regard to part II — "Organization and work of the 2011 substantive session" — paragraph 6, of the draft report (A/CN.10/2011/CRP.2), concerning the composition of the Bureau, I would like to take this opportunity to point out that the format requires that the names of the Commission's Vice-Chairs be specifically mentioned.

Mr. Hallak (Syrian Arab Republic) (*spoke in Arabic*): With regard to section IV of the draft report (A/CN.10/2011/CRP.2), entitled "Conclusions and recommendations", my delegation supports the proposal made by the representative of Cuba concerning the fact that we cannot change the mandate by changing the conclusions and recommendations. We also agree that we can delete the words "and recommendations" from paragraph 17. With regard to the proposal made by the representative of Mexico, while the wording is set out in a negative way, it is nevertheless factual. However, we are flexible in that regard.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): The delegation of Cuba believes that, as a result of this exchange, we are already quite close to reaching a solution that is acceptable to all. The Cuban delegation is prepared to accept a solution that includes retaining the heading as it is while eliminating the words "and recommendations" from paragraph 17 and including new language referring to the fact that the Commission did not adopt substantive recommendations this year. The Cuban delegation would be prepared to accept a compromise formula on that basis.

The Chair: The proposal now before the Disarmament Commission is to retain the heading and to state that there were no recommendations put

forward by the Commission, as well as to delete the words "and recommendations".

If there are no objections to that proposal, I shall take it that the Commission agrees to adopt it.

It was so decided.

The Chair: As I mentioned earlier, after their consideration at this meeting of the Committee of the Whole, the draft reports of the Working Groups and the Commission's draft report will be formally considered and adopted and the Commission's next plenary meeting.

The meeting rose at 12.15 p.m.